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March 18, 2019*

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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In Re:

ANTHONY THOMAS and WENDI
THOMAS,
AT EMERALD, LLC,
Debtors.

Case No. BK-N-14-50333-btb (LEAD)
Case No. BK-N-14-50331-btb
(Jointly Administered)
Chapter 7

JERI COPPA-KNUDSON, TRUSTEE,

Plaintiff,
vs.
KENNETH CONETTO, ESTATE OF ERIC
KITCHEN, KIMBERLY KLOTZ, WAYNE
CATLETT and SHERIFF OF SANTA
CLARA COUNTY,

Defendants.

Adv. Proc. No. 17-05005-btb

**NOTICE OF HEARING ON MOTION TO
SET ASIDE DEFAULT JUDGMENT, OR
IN THE ALTERNATIVE FOR
CLARIFICATION**

Hearing Date: April 17, 2019
Hearing Time: 2:00 p.m.

ADV. PROC. NO. 17-05005-btb

NOTICE OF HEARING ON MOTION TO SET ASIDE DEFAULT OR FOR CLARIFICATION

1 **NOTICE IS HEREBY GIVEN** that a **MOTION TO SET ASIDE DEFAULT**
 2 **JUDGMENT, OR IN THE ALTERNATIVE FOR CLARIFICATION** was filed on March 18,
 3 2019 (Dkt. #30), by defendant Sheriff of County of Santa Clara. The Motion requests that the
 4 Court set aside the default judgment entered against Defendants Estate of Eric Kitchen, Kimberly
 5 Klotz, and Wayne Catlett, or in the alternative, require the Trustee to obtain and file with this Court
 6 Defendant Kenneth Conetto's signed stipulation stating that he has no legal interest or entitlement
 7 to the Santa Clara Emerald currently in the possession of the Sheriff of County of Santa Clara.

8 **NOTICE IS FURTHER GIVEN** that if you want the court to consider your views on the
 9 Motion, then you must file an opposition with the court, and serve a copy on the person making the
 10 Motion ***no later than 14 days*** preceding the hearing date of the motion, unless an exception applies
 11 (see Local Rule 9014(d)(3)). The opposition must state your position, set forth all relevant facts
 12 and legal authority, and be supported by affidavits or declarations that conform to Local Rule
 13 9014(c).

14 If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading with
 15 the Court. You *must* also serve your written response on the person who sent you this notice.

16 If you do not file a written response with the court, or if you do not serve your written response
 17 on the person who sent you this notice, then:

- 18 • The court may *refuse to allow you to speak* at the scheduled hearing; and
- 19 • The court may *rule against you* without formally calling the matter at the hearing.

20 The Court may *rule against you* without formally calling the matter at the hearing.

21 **NOTICE IS FURTHER GIVEN** that the hearing on the said Motion will be held before a
 22 United States Bankruptcy Judge in the Clifton Young Federal Building, 300 Booth Street, Fifth
 23 Floor, Bankruptcy Courtroom No. 2, Reno, Nevada 89509 on **April 17, 2019 at the hour of 2:00**
 24 **p.m.**

25 DATED this 18th day of March, 2019. KAEMPFER CROWELL

26 By: /s/ Louis M. Bubala III
 27 LOUIS M. BUBALA III, ESQ.
 28 Attorneys for Defendant
SHERIFF OF SANTA CLARA COUNTY

CERTIFICATE OF SERVICE

Pursuant to FRBP 7005 and FRCP 5(b), I certify that I am an employee of Kaempfer Crowell, that I am over the age of 18 and not a party to the above-referenced case, and that on March 18, 2019 I filed and served the foregoing **NOTICE OF HEARING ON MOTION BY TO SET ASIDE DEFAULT JUDGMENT, OR IN THE ALTERNATIVE, FOR CLARIFICATION** as indicated:

BY NOTICE OF ELECTRONIC FILING: through Electronic Case Filing System of the United States Bankruptcy Court, District of Nevada, to the individuals and/or entities at their email addresses as set forth below:

- Jeffrey L. Hartman: notices@bankruptcyreno.com; abg@bankruptcyreno.com
- Jeri Coppa-Knudson: renobktrustee@gmail.com,
jcoppaknudson@ecf.epiqsystems.com

X **BY MAIL:** by placing the document listed above in a sealed envelope with Postage thereon fully prepaid in the United States Mail at Reno, Nevada, and addressed as set forth below. I am readily familiar with my office's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on March 18, 2019, with postage thereon fully prepaid in the ordinary course of business.

Wayne Catlett
PO Box 5692
Santa Barbara, CA 93150-0647

Kenneth Conetto
3637 Snell Avenue, Sp. 51
San Jose, CA 95136-1316

BY PERSONAL SERVICE: I personally delivered, or caused to be delivered, the document(s) to the persons at these addresses:

BY DIRECT EMAIL: by sending directly to the party / email addresses

I declare under penalty of perjury that the foregoing is true and correct.

DATED: March 18, 2019

/s/ Merrilyn Marsh
An Employee of KAEMPFER CROWELL